

App. No. 10/602,353
Amendment

REMARKS

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested. Claims 1, 12, 19, and 29 have been amended, and claims 8, 14, and 26 have been canceled without prejudice. Therefore, claims 1-7, 9-13, 15-25 and 27-29 are pending in the application.

Petition for Three-Month Extension of Time

A Petition for a Three-Month Extension of Time is included herewith to extend the period for response to December 2, 2004. A Fee Transmittal is included herewith to cover the fee for the three-month extension of time.

Allowable Subject Matter

Applicant acknowledges with appreciation the Examiner's indication at the top of page 4 of the office action that claims 8, 14, and 26 would be allowable if rewritten to include all of the limitations of the base claim. Applicant has amended the corresponding independent claims 1, 12, and 19 to include the limitations of claims 8, 14, and 26, respectively. As such, claims 1, 12, and 19 are now in a condition for allowance. Furthermore, Applicant has also amended independent claim 29 to include the limitations of claim 8, which applicant asserts places claim 29 in a condition for allowance.

Claim Rejections under 35 U.S.C. § 112

The Examiner rejected claims 1-29, second paragraph, as being indefinite for lacking clear antecedent basis of "the substantial cancellation". Applicant has amended independent

App. No. 10/602,353
Amendment

claims 1, 12, 19 and 29 to clarify a proper antecedent basis and to place the currently pending claims in a condition for allowance.

Claim Rejections under 35 U.S.C. § 102

The Examiner rejected claims 1-7, 9-13, 15-25, and 27-29 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,434,522 to Fikart et al. in view of Japanese Patent No. JP362176308 to Satoru. Applicant respectfully traverses these rejections.

However, Applicant has amended independent claim 1 to include substantially the same language as that of claim 8 that was indicated as allowable subject matter. Similarly, Applicant has amended independent claim 12 to include substantially the same language as that of claim 14, and have amended independent claim 19 to include substantially the same language as that of claim 26, wherein both claims 14 and 26 were indicated as allowable subject matter. Therefore, Applicant submits that amended claims 1, 12, and 19 are now in a condition for allowance for the same reasons as claim 8, 14 and 26, respectively. Furthermore, Applicant has amended independent claim 29 to include substantially the same language as claim 8, which means that claim 29 is also in condition for allowance.

Fees Believed to be Due

When this application was filed a fee was paid for a total of 29 claims with 4 claims being independent claims. The above amendment results in there being a total of 26 claims with 4 claims being independent claims. Thus, the prior fee paid is sufficient to cover all claims.

App. No. 10/602,353
Amendment

A Fee transmittal is included herewith to cover the three-month extension of time referred to above.

CONCLUSION

In view of the above, Applicant submits that the pending claims are in condition for allowance. Should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Richard E. Wawrzyniak at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Date: 11/23/04

Respectfully submitted,



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